G.R.S. IX—5]

Previous references 1920. **File No.** 512 - 20

512 - 20 8/52-4. (Miscellaneous) **Serial Nos.** 5 to 6

Later references.

Pol 90-35-1-4

Misc. 273-61-1-2

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. two

Part B for Northern Province

SUBJECT

Re. Sri Rama Navami Utsavam Arrangements in Nallur Kovil premises by Gnana Saraswathi Ayer

---

Re Nallur Car Festival in August 1908 - Ordinance No. 4 of 1912

512 - 20 + 6

with Permit to use Swamy Chariot & Hospital premises for Sri Krishna Rama Navami on that day

F. R. S. 11] 1920

GENERAL AND REVENUE SECRETARIAT.

(Mysore)

NOTES.

File No.

FILE HEADING.

Utsava during Sri Rama Navami and three occasions of the Deity or Pictures of Sri Rama and Sri Venkataramana along the main Road of the Mahal by Gowda Saraswath Brahmans.

From

The Muzrai Commissioner in Mysore

C No. 296 Dated 25-10-22 Received 28-10-22

Diary No.	Enclos.	Spare Copies.	Serial No.
1076	U.P.P.		5

BRIEF ABSTRACT OF LETTER.

Re-transmits the record connected with the case from the orders of Government

NOTES AND ORDERS.

A Muz. D. No. 512-20 Sec. 2 & 6, on the subject, is submitted. The facts of the case are contained in the office-note of the Secretary. On an appeal from the Gowda Saraswath Brahmans

C Petition dated 5-4-1921

NOTES—First Sheet.

G. R. S. III-2]

General and Revenue Secretariat. | File No. of 19

Serial No.

of Nerthara against the Dist. Magistrate's order in the matter of parading specified Bengalis during the hartal of the day of Sri Rama and Sri Ramakrishna. The Dy. Com's report called for on the subject, was received. The case was under adjournment to the hon. Court to know an official copy on the matter. The hon. Court submitted the record for the order of Govt. with the observation that the subject of the case which is an appeal against the Chuyya Dy. Com. under powers in his capacity as Addl. Magistrate, Govt. in exercise his powers of Cognizance & hon. Court, and that hon. Court for, 25-9-1922 Sanctioned. The Secretary of proceedings by Dy. Com., hon. Court of Govt, ...

NOTE.—Contn. sheet

G. R. S. III-2]

General and Revenue Secretariat.

File No. of 19

Serial No.	

NOTE—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat. | File No. of 19

Serial No.

This is a dispute between the Smārta Sarasvat Brahmans and other Brahmans in regard to certain insignia to be used for the procession of a deity at Tirittaṇi. The use of insignia by private persons is guided by G.O. No. G. 11404-14/pdl. 202-14-41 dated the 19th November 1919 (a spare copy sub. for kind perusal). The use of insignia by Mathadhipatis is regulated by manual in the Madurai Deptt.

This case is one in which the use of certain insignia is asked for in connection with the procession of a deity and does not fall within the former category. There are no standing orders for regulating the use of insignia during processions of Gods, and it is a matter of every day occurrence that during processions of deities, Swetachattras, Mahanatarams, Kaigal dindigai, Pancha-Kalasa + other insignia are paraded, without any interference, provided the processions are conducted in specified localities, as in the case of Sectional Thō Oddapalki processions are rare

NOTE.—Contn. sheet.

G. R S. III-2]

General and Revenue Secretariat. | File No. 512 of 1920

Serial No.

Nor is there any standing order fixing the insignia to be used for processions of Gods conducted by the different Communities.

In these circumstances, the order passed by the Dy Com^r & Dist Magte which is now appealed against seems to be quite sound and unobjectionable.

The Mayurm Com^r has returned the papers to Govt on the ground that under G.O No. 1332-63/Mus 63-22-9 dt 25th Sept^r 1922, the matter falls under the powers of Govt. He could have made any further enquiries in the matter as might have been deemed nec^y and send the case to Govt with his opinion & sub^d for orders.

24
7/11/22.

I believe the insignia referred to in Col C of the Schedule appended to the G.O dated 23/25 Sept 1922 relate

NOTE—Contn sheet.

Serial No.

to those claimed by Mata Rispathis and other juristic persons ~~Be~~ ~~Case~~ The definition used in Sch C of the Schedule is "Claims for insignia". This means false pretences insignia claimed by the persons wishing to use them" and does not refer to insignia that may be paraded when deities are taken in procession.

The use of insignia is a right or a privilege and what insignia may be used when a deity is taken in procession is a matter for the department Concerned to decide. This is therefore a Executive function. After a declaration of the right claimed is made by the Mata dept the Magistrate ~~of the Police~~ will decide whether having regard to the legal conditions the right should be allowed to be exercised on any particular day on which it may be sought to be exercised and if they decide to allow it, they will issue a licence

NOTE.—Contn. sheet.

Serial No.

and afford necessary help for the
Conduct of the prosecution. I do
not think that it is part of the duty
of a Magistrate to decide what
weapon should be used by his
Constable in seeing that he shall
do to prevent [illegible]. Though
the order appealed against has been
signed by the 1st Magistrate, it is
one really passed by him as the 1st
Inquiry officer.

If these views are
affirmed the Inquiry Commr may
hear the appeal. If on the other hand
the Matter is considered doubtful
the appeal may be heard by Govt.
In the latter event the
opinion of the Members of the Inquiry
Commrs' office will be invited.

3768 - 183
6.11.[illegible].

First Member)

As a head of the police [illegible]
the issues got mixed [illegible]
from the [illegible]
[illegible] Cr. Code of [illegible]. 9. 22. [illegible]
has the death [illegible]

NOTE—Contn sheet

G. R. S. III-2]

General and Revenue Secretariat. | File No. of 19

Serial No.

With reference to the orders of Govt on the Kuruvi displ. a reach of the place is approached here it becomes a matter for decision as to the Magistracy. In the light of this I am inclined to think that the latter has to deal with the Kuruvi matter.

In the G. O. of 28 Y. 22. Govt have the deal with Hindu Endowments are meant to apply to such as are claimed to maintain private interests. Here it is a temples or communities, or institutions, cannot be distinguished from the above. In the present instance the claim is by a community. So it seems that the matter is to deal with by Govt. The opinion of the Legal Dept must be obtained.

Rec 8 11 22 — 7/11/22

The Report of the Agent is placed on the file.

The Agent has proceeded authorities from Padma Samhita,

NOTE—Contn. sheet.

General and Revenue Secretariat. | File No. | of 19

Serial No.

Ishara Samhita and Bhagavata, to prove that Sveta chattra, Nagal Diwatige, Morchal and other Regal honors will have to be accorded on the occasion of the procession of deities. He states that it is the usual to conduct Mavina of photos from the temples, and there is no Shastraic prohibition to parade the Bimbas if the photo has been Shastraic ally consecrated.

Submitted for orders.

MM
10-11-22

SD
10/11/22

May not a draft order be first got in terms of the opinion of the Pandits, or should this appeal be waited for hearing? Instructions are solicited.

First Member 10/11/22

3954-337
11.11.22

It seems to me that ... to the ... to the ... on the ... is ...

NOTE—Contn. sheet.

R. S. III-21

General and Revenue Secretariat.

May File No. 51 [illegible] of 192 ?

Serial No.

If the [illegible]
is [illegible]
[illegible]

14/13/11/22

[illegible]
14/11

[illegible]. No orders on the point of parading insignia while taking in procession photos of deities, ~~is~~ appear to be called for, as the point is not pressed in the appeal petn.

~~Sd~~ Typed draft subd for approval.
18/11/22.

(Secy Finl Member) U/22/11/22.

4298-680
23.11.22

Dor proposed
Secy
24.11.22

U/24/11/22

3376
27-11-22

Second member ~~Secy~~ Finl

U/27/11/2

27/11

U/28/11/2

NOTE—Contn. sheet.

General and Revenue Secretariat.

Mun File No. 8-12 of 1926

Serial No.	
6	No 1804 dt 29/4/26 to the Mun. Comm Sanctions certain trades to be used by the applicant in the processing of the a-v. Fee Rs 2

NOTE—Contn. sheet.

C No. 296 Office of the Muzrai Commissioner in Mysore.

Misc 3 22-23.

Enc - Entire file connected with the case.

Dated Bangalore, 23rd October 1922.

From

K.R.Srinivasaiengar, Esquire., M.A.,

Muzrai Commissioner in Mysore,

Bangalore.

676

22-2

5-12-23-5

MMS GR
25 OCT 1922

To

T.E.Javarama Iyer, Esquire., B.A., B.L.,

Secretary to the Government of His Highness

the Maharaja of Mysore, Revenue Department.

DV 25/10

Sir,

With reference to your letter No.7/Camp dated 2nd October 1922 forwarding for disposal, among other files, correspondence -- ending with letter I.C.No.821/20-21 dated 8th September 1922 from the Deputy Commissioner, Shimoga District, regarding the dispute between the Gowd Sarasvata Brahmins and other Brahmins in the matter of the procession of Sri Rama Devaru on certain occasions, I have the honor to submit that in the first place it is doubtful if the case which is an appeal against the order passed by the Deputy Commissioner of Shimoga in his capacity as District --- Magistrate comes within my powers of cognizance as Muzrai Commissioner and that secondly, as the case relates to a claim set up by the Gowda Saraswath Brahmins of Thirthahalli for the use of -- certain insignia in connection with some religious processions, it has to be disposed of by Government in conformity with item 5 of appendix (C) to Government Order No.1332-56/M.E.55-22-9 dated 25th September 1922 sanctioning the schedule of powers to be --- exercised by Deputy Commissioners, Muzrai Commissioner and the Government in Muzrai matters.

2. I beg therefore to resubmit herewith the records for the orders of Government.

I have the honor to be,
Sir,
Your most obedient servant,

Muzrai Commissioner.

GEN. & REVS: [illegible]
MUZRAI

Muz 512-20-4

Office of the Deputy Commissioner,

No:J.C.821/20-21. Shimoga District.

Encl: One.
1 Appeal Petn
2 Memo of the Case.
3 Records in Misc No. 45 of 1617
From 45 of 17-18 - 12 of 18-19 & 27 of 19-20.
Records ending with Amrin Locust Ly. 17

Dated, Shimoga, 7th September 1922.

17170
R.4
C 296 of 22-23
Muz

11 SEP 1922

From

G. Aravamuduiengar, Esq., B.A., B.L.,

Deputy Commissioner,

Shimoga District.

To

T. E. Jayarama Iyer, Esq., B.A., B.L.,

Revenue Secretary to Government,

B a n g a l o r e.

(14)

Sir,

With reference to letter No: 3686/Muz.512-20-2 dated 15th April 1921 from the Muzrai Secretary to Government calling for a full report of the facts relating to the dispute between the Sarswatha Brahamans and other Brahamans of Thirthahalli in the matter of certain religious processions, I have the honour to submit herewith a memorandum containing a full report of facts relating to the dispute together with the connected records.

I have the honour to be,

Sir,

Your most obedient servant,

Deputy Commissioner,

Shimoga District.

K.S/2.

M e m o.

Sri Rama Navaratri was organised in the Thirthahalli town in the year 1912 by the then Amildar. Both the Gowda Saraswatha Brahamans and other Smartha and Madhwa Brahamans took part in the Utsavam. Private subscriptions were raised from the members of both the sects to meet the cost of utsavam and Samaradhanam. The picture of Sri Rama was installed in the Sree Rameswara temple and the procession was conducted with the temple Paraphernalia. This was continued till 1915. A difference arose between the two parties in regard to the Samaradhana, Prasada &c., in the year 1916. The Gowda Saraswat Brahmans started separately their own utsavam in the year 1917. On 29th March 1917 a petition was sent to the Amildar Magistrate Thirthahalli by Mr. B. Naga Bhatta and other Brahamans of the Rayasa Agrahar praying to stop the procession which the Gowda Saraswatha Brahmans were taking through Rayasa Agrahar from 24th March 1917 with Makarathorana and other Biradu bavalies, against the existing mamool. A similar petition was sent to the Deputy Commissioner and District Magistrate on the 30th March 1917 by Mr. M. Manjappa which was forwarded to the Amildar for disposal. Both these petitions were sent to the Police Inspector, Thirthahalli for enquiry and report. The Police Inspector examined the parties on both the sides and submitted his report on 1st April 1917 that it is likely that there would be breach of the peace in case the procession is taken by the Gowda Saraswatha Brahmans through the streets of the Rayasa Agrahar. Thereupon The Amildar Magistrate passed an order under Section 144 Cr.Pro.Code directing that the Gowda Saraswatha Brahmans should not take the procession of Sri Rama through Rayasa Agrahar and other streets without obtaining a license and establishing their right to take the God with all the paraphernalia such as makarathorana, Suree Pana, daylight torch &c. This order was sent to the Police Inspector for communication to both the parties. Messrs.

Javali

Messrs. Javali Hanumantha Rao and Agumbe Rama Rao preferred an appeal to the District Magistrate against this order and the District Magistrate (Mr. A. Subramanya Iyer) in Mis. Case No: 45 of 16-17 passed an order on the 14th April 1917 that a license was necessary for conducting the procession and that it might be issued by the Amildar Magistrate. He also directed that the picture of Sree Rama should be carried by a man and not in a palanquin. There could be Bhajana and Music and the procession might pass through Rayasa Agrahar. Torches in daylight might also be used. As regards the use of umbrella, makarathorana siver maces, palanquin and anything else that might be regarded as insignia each party should apply separately and obtain orders.

2. In December 1917, the Saraswatha Brahmans sent a petition to the Dewan Sahib praying for permission to conduct special puja and to parade among other insignia a Hanuman flag (as per sample enclosed to the petition) on the 6th January 1918 for the success of the British Empire in the European war. This petition which was forwarded to the Deputy Commissioner for disposal was sent to the Amildar Thirthahalli for report. Whereupon the Amildar held local enquiry into the matter and reported that there was no objection to both the parties conducting the utsava of their deities, - On 6th January 1918 as they considered suitable. It was also reported that the objection of the Brahamans for the use of the Hanuman flag by the Gowda Saraswatha Brahamans was not tenable, Hanuman being the God worshiped by both the parties. (Vide: report No: 170 dated 2nd January 1918). On receipt of this report the District Magistrate directed in his order of the 5th January 1918 that licenses mght issue for the conduct of ordinary utsavam as per mamool, precautions being taken against any disturbance of the public peace. It was also ordered that Hanumantha Devaru and the flags bearing the British Union Jack and the Mysore Royal emblem of Gandaberunda might be permitted to be taken during the procession or utsavam. (Vide: order No: 499

dated

dated 5th January 1918). This order having been received late in the evening on the 6th January 1918, no license was granted for conducting the procession on that day. An application having been made by Mr. Javali Ranga Rao, on 7th January 1918 for the issue of a license for conducting the procession on any day before the 15th January 1918, the Amildar ordered on 9th January 1918 for the issue of a license for the 16th idem., embodying the additional insignia referred to in the District Magistrate's order. A license was accordingly issued on the 10th January 1918 shortly after this namely on the 15th January 1918 Messrs. Udupi Srinivasachar and other members of the Brahaman community applied to the District Magistrate for the cancellation of the license and for the issue of an order to the Amildar to withhold the issue of such licenses to the Gowda Sarswartha Brahamans until they established their right in proper Court to carry the procession with any paraphernalia and insignia. Both the parties were heard by the District Magistrate (Mr. M. A. Narayana Iyenger) and he ordered on 15th January 1918 that as the claim of the Gowda Sarswatha Brahamans was admittedly unsupported by mamool in the locality and as they had never yet exercised the right of using the insignia undisputedly and without a license, the license issued for the procession on the 16th January 1918 might be cancelled as a breach of the peace was feared if a license were to issue for carrying the insignia. (Vide: Order ~~xxx~~ in Mis. Case No: 45/1917-18). An appeal was preferred to Government by the Saraswata Brahamans against this order and an endorsement was issued to them by Government to the effect that they see no reason to interfere with the order of the District Magistrate. (Vide: Endorsement No: J.445/Pol.135-17-4 dated 4th May 1918).

3. In August 1918 an application was again made by the

Gowda

Gowda Saraswatha Brahamans to the Amildar Magistrate Thirthahalli for the issue of a license to conduct the procession of Sri Venkataramana Devaru on 31st August 1918, the last Saturday of Sravana, through Rayasa Agrahar and other public streets in the Town with all the paraphernalia. This application was refused by the Amildar Magistrate on the 30th August 1918 on the authority of the endorsement (referred to in para supra) issued to the Saraswatha Brahamans by Government in May 1918. The Gowda Sarswatha Brahamans preferred an appeal against this order to the District Magistrate (Mr. T. E. Jayarama Iyer) and the District Magistrate in mis case No: 12 of 1918-19 ordered on 30th August 1919 that the attention of the Amildar Magistrate should be drawn to the directions { that it is the right of every person} for a lawful purpose and in a lawful manner to use a public street by parading it with music} contained in the Government Order No: 15597-608/Pol.116-17-2 dated 27th January 1919 and that he might be guided by the said directions in the disposal of applications for license from Saraswatha Brahamans.

4. Again on 2nd October 1919, an application was made by Messrs. Javali Ranga Rao and Sunkada Vamana Rao for the grant of a license to conduct the procession of Sri Kodanda Rama Devaru from the temple through the marginally noted roads. After enquiry the Amildar Magistrate ordered on 13th October 1919 that a license might issue to the petitioners to take on the 14th October 1919 the procession of the idol referred to in all the public streets in question parading the same with music and that the use of insignia by the petitioners should not be allowed as it was against mamool. An appeal was preferred against this order to the District Magistrate (Mr. S. Hiriannaiya) ordered on 18th March 1920 in case No: 27 of 1919-20 that the

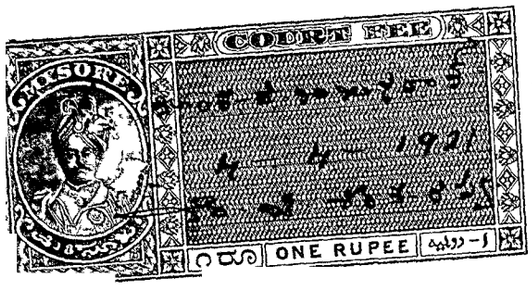
Koppa-Thirthahalli road.
Chattram street.
Agumbi Road.
Ananthapur road.
Shimoga Road.
Ananthayyana Agrahar road.
Rice mill road and on to the temple.

the decision of the Amildar to allow the Saraswatha Brahaman community to take the deity in procession through the public streets of Thirthahalli town must be upheld it being a settled principle law that every community has a right to use a public street for a lawful object and in a lawful manner by parading it with music if necessary. As regards the use of insignia it was ordered that as makarathorana and Hagal Devatige fall under Royal Honours and Swetha Chatri and Chamara fall under special Honours, the use of these four honours by the Gowda Saraswatha Brahamans could not be permitted unless their right thereto is established. (Vide: G.O.No: 11404-14/Pol.202-14-41 dated 19th November 1919). The use of pallakki (neither a Royal Honour nor a special Honour) Tekke, Pakke, Gaggara Kolu and Belli Kolu might be permitted. The issue of a license accordingly by the Amildar was ordered with the direction that the Saraswatha Brahaman community might be allowed to take the deity in the streets in question but the use of the four Honours referred to above might not be permitted. A Pallakki might be used for carrying the deity but not adda pallakki. The present appeal is against this order.

Deputy Commissioner,
Shimoga District.

K.S/2.

9-11-22



2076.

19 20 19
SECTION
FILE No.
SERIAL No.

BEFORE THE GOVERNMENT OF H.H.THE MAHARAJA OF MYSORE.

Misc: Petition No. of 1920-1921.

avali R anga Rao, Sunkada Vamana Rao and other Gowda Saraswath Brahmin inhabitants, residing at Thirthahalli, Shimoga District. ... Petitioners.

The petitioners beg to state as follows:-

1. The petitioners are Gowda Saraswath Brahmin inhabitants of the Thirthahalli Town of the Shimoga District. They have two Temples located near the Tunga River, viz., Sri Ramachendra Devaru and Sri Vittal Devaru Temples. It is usual for the petitioners to have severak processions held during the year, more particularly during Sri Rama Navami, on Shravana Saturdays and in Kartheeka on the occasion of Dhatri Havana, and also in connection with any special celebrations of a national or religious character. On such occasions it is usual to take either the deity itself or some picture of Sri Rama or Sri Venkataramana in procession along the main

Public

Public Roads of the Town with the usual paraphernalia -or the insignia known as- (1) Palki & Lalki, - (2) Makara Thorana, (3) Shweta-Chatra, (4) Chamara, (5) Hagalu Deevatige, (6) Tekke, (7) Pakke, (8) - Gaggarakolu, and (9) Bellikolu to the accompaniment of music or Baja Bajantri.

2. It is a matter of common knowledge that such insignia are the essential requisites in regard to all processions of deities and that the - necessity for carrying such insignia is insisted on by the Agamas bearing on such questions and the - traditions of all religious institutions -particularly in the whole of Southern India.

3. Though the right to hold such processions on festive occasions taking the deities concerned - with the abovementioned and other insignias to the accompaniment of music through the Public Streets - is one inherent in every subject of the State and is not one that needs any express recognition by the - authorities concerned, the other Brahmin inhabitants between whom and the petitioners some differences - have arisen for reasons which it is unnecessary to detail here have for sometime past been putting forward frivolous and untenable objections.

4. The question first arose in connection with a Procession on the occasion of Sri Rama Navami in - April 1917 on account of the protests of some Brahmins of other communities residing in Rayasada Agrahara at Tirthahalli and though the decisions passed by the

local

local authorities (the Amildar and Deputy Commissioner) have not been uniform, the petitioners beg to submit that licenses have on many occasions been granted permitting the petitioners to conduct the processions with the usual Birudu or insignia and processions have also been held.

5. But the conclusions arrived at by the Deputy Commissioners have been of such a varying character that the Amildars to whom applications used to be made on such occasions for the grant of licenses have felt very great difficulty in adopting any specific or uniform procedure in such matters, with the result that the petitioners are, on every occasion on which such processions have had to be held, put to very great inconvenience, loss and anxiety, and on several occasions the processions have had either to be post-poned or abandoned altogether

For example (a) when in 1917 Mr A.Subrahmanya Iyer was the Deputy Commissioner of the District, he held that the petitioners' community had as much right to hold such processions as the other Brahmin Communities but directed that no Palki should be used as, in his experience, such practice did not obtain in the Mysore District and directed the petitioners to obtain orders for the use of insignia &c., from the local authorities and during his time the petitioners were conducting processions using all the insignias referred to above but were denied the very necessary use of the Palki for taking the deity or pictures of the deity in procession.

(b)

(b) During the time when Mr.M. A. Narayana Aiyangar was the Deputy Commissioner he directed the grant of licenses permitting the use of insignia but for other reasons, mainly on account of apprehension of breaches of peace, he directed the processions to be stopped.

(c) During the time when Mr.Jayaram Iyer was Deputy Commissioner of the District he directed - the issue of licenses for holding processions, recognising the right of the petitioners to do so, - but there were no specific orders relating to the use of insignia.

(d) During the time when Mr.S.Hiriannaiya, - was the head of the District the accompanying order dated the 18th March 1920 was passed by him, upholding the right of the petitioners to take the - deity in procession, but restricting the right of the petitioners as regards the use of some insignia, basing this part of the order on the Notification - passed by Government in G.O.No.G.11404-14-Pol.202-14-41 dated 19th November 1919, adopting the classification of such insignia into Royal Honours and Special - Honours and ordinary insignia, and refusing permission to the use of such insignia as answered to the description of "Royal" or "Special" Honours.

6. These various orders passed by the respective Deputy Commissioners from time to time disclose how such orders are not based on any common or or well-recognised principle but are mainly based on the personal opinions or views held by them, leaving the entire question in doubt and making it very dif-

for the local authorities to adopt any definite

course

course of action in the matter and always making it possible for the objectors to delay such processions or stop them altogether.

7. Under these circumstances the petitioners have been obliged to approach the benign Government of His Highness the Maharaja of Mysore for redress - in the hope that the inherent rights of this section of His Highness' loyal subjects will be recognised and given effect to.

8. The last order (referred to above) on this subject dated the 18th March 1920, passed by the Deputy Commissioner in Criminal Misc. Petition No.27 of 1919-1920, while it expressly recognises the right of the petitioners to take the deity in procession, does not appear to interpret the order of Government dated the 19th November 1919 correctly. The learned Deputy Commissioner is of opinion that "it is not clear whether it applies to processions of deities conducted by private persons" or to processions of private persons themselves other than Mathadhipathies and he has not chosen to discuss the matter further and arrive at a definite - conclusion; but having regard merely to the urgency of the matter and the necessity of passing some order of a tentative nature he appears to have passed that order - leaving the important question of the use of the other - insignias classed by him as "Royal Honours" and "Special Honours" open.

9. The petitioners beg to submit that the order - of Government referred to above can only refer to processions conducted for private persons on occasions such as

marriages

26

marriages &c., or by individuals like Swamies or Mathadhipathies whose right to the use of any special insignias or honours have to be either the subject matter of a Royal Grant or sanctioned by usage or custom having the force of law. But in the case of deities -such right to the use of insignia is inherent and is clearly not one which could be the subject of any grant by human beings.

10 The petitioners therefore humbly beg to point out that the application of the said order of Government to the present case does not appear to be correct and that the petitioners are therefore entitled to take the deity in procession with the insignia in question or such other insignia appertaining to the particular deity in whose honour such processions are held

11. As applications for licenses for conducting such processions are not easily or speedily disposed of by the local authorities and as the last order in the series raised the question of the interpretation of G.O.No.G.11404-14-Pol.202-14-41 dated the 19th November 1919, the petitioners have no other alternative than to approach Government with a humble prayer for the passing of final orders on this long pending question which, though very simple in its nature, has become somewhat conplicated by the divergent orders passed by the several Deputy Commissioners from time to time

12. The petitioners have now to conduct the Annual Rama Navami Procession which is to come off on or about the 16th instant (16-4-1921) on Sri Rama Navami

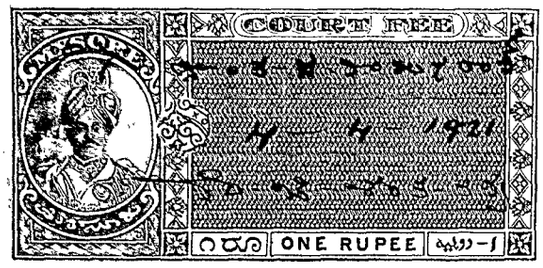
Day

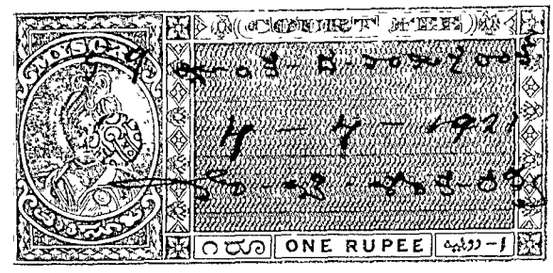
Day and again on the 17th, the "Mangalothsava" Day, and again on the "Avabhrita" Day, i.e., the 19th - idem, and they therefore pray that Government may be graciously pleased to pass early orders recognising and declaring the inherent right of the petitioners to take the deity in procession through the main - public streets of the Thirthahalli Town to the accompaniment of music and with the insignias specified - above and such other necessary paraphernalia as the - occasion might require.

13. The petitioners humbly pray that final orders may kindly be passed on this question recognising their rights so as to obviate any further trouble, delay, inconvenience and loss to the petitioners. If the passing of final orders in this matter is likely to take - some time, the petitioners pray that ad interim orders - may be passed, pending the disposal of this petition - permitting the holding of the processions, as prayed for in connection with the Sri Rama Navami Celebrations.

BANGALORE,
5th April 1921.

ಶ್ರೀ. ಶ್ರೀ. ರಾಮಾಚಾರ್
ಶ್ರೀಕೃಷ್ಣಪ್ಪ ಸಾಹುಕಾರ್ ಪೇಟೆ





In the Court of the
Before the Government of H H
the Maharaja of Mysore

CASE NO. OF 192 .—192 .

Respondent Defendant.

Petitioners Appellant Plaintiff.

Javali Ranga Rau
Sollur Gopala Saraswathi
Inhabitants of Nilkal

Vs.

I, we the petitioners above named do, by these presents, retain Mr. K. SHANKARA NARAYANA RAU, M.A., B.L., *Advocate*, and Mr. B. SHANKARA RAO, B.A., LL.B., to appear and conduct the above case on our behalf to judgment.

2. We further empower them to do all necessary acts in the above case, to execute any decree or order that may be passed in our behalf and to receive from the Court all documents, refunds, and all sums of money that we may be entitled to get and grant receipts therefor.

3. We also undertake to confirm and ratify all the acts done by the said Advocates or by any other Advocate on their behalf in so doing.

ಜ. ಜಿ. ರಂಗರಾವ್
ಸೊಲ್ಲೂರು ಗೋಪಾಲಸರಸ್ವತಿ
ನಿಲ್ಕಲ್ ನಿವಾಸಿಗಳು

BANGALORE,
5/4/1921.

Accepted.
K Shankara Narayana Rau
B Shankara Rao
Advocates.

Personally known to me and signed in my presence.

THE BANGALORE PRESS.

TWO ANNAS

MYSORE

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In the Court of the District magistrate

Shimoga

Dated this 18th day of March 1920.

Present S. Hiriamaiya, Esqr. M.A.B.L. District Magistrate

Criminal Miscellaneous Petition No. 27
1919-20

Petitioners — 1. Javali Ranga

2. Sunkada Venkatarao

by

Mr. S.N. Venkata B.A. B.L.

Advocate

Opponents — 1. Raghavendrarao

2. K. Venkata Rao

3. Y. Rama Rao

4. M. Marijappa

5. Venkata Subbanachar

6. K. Venkatesha Rao

7. B. Rama Rao

8. B. Raja Bhatta

9. V. Srinivasachar

10. J. Ramappa

11. Gopalayya

residing at Nirthadi

DISTRICT MAGISTRATE'S COURT SHIMOGA

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TWO ANNAS GOVT OF MYSORE ಎರಡು ಆಣೆ

This is an application praying for the revision of the order of the Asst. Commissioner Nirthakal refusing to grant license to take in procession Sri-kodanda Rama Devaru with certain insignias.

This petition coming for hearing this day - the Court passed the following order.

Order

This is an application by the representatives of the Saraswat Brahmin Community of Nirthakal for permission to take Sri Rama Devaru in procession during the Rama Navami feast through the streets of Nirthakal Town

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TWO ANNAS

MYSORE

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There were certain honours and insignia. The Brahmins of Nirthehally disputed the right of the Saraswat Community (1) to take the procession in the streets and (2) to the use of the honours referred to above. The Amildar to whom the application for a license was made in the first instance granted permission to conduct the procession but did not allow the use of insignia. The Saraswat Community have now appealed.

2. The decision of the Amildar to allow the Saraswat Brahmin Community to take the deity in procession through the public streets

DISTRICT MAGISTRATE'S COURT SHIMOGA

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TWO ANNAS ಎರಡು ಆಣ್ಣೆ MYSORE

streets of Nirthahalli is correct and must be upheld. It is now a settled principle of law that every community has the right to use a public street for a lawful object and in a lawful manner by parading it with music if necessary.

3. As regards the use of insignia different considerations apply. Government Order No. G 11404-14 Pol. 202-14-41 dated 12th Nov. 1941 regulates the use of insignia by private persons other than Rathodhi patties but it is not clear whether it applies to processions of dieties conducted by private persons. However that may be I think it would

DISTRICT MAGISTRATE'S COURT SHIMOGA

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TWO ANNAS
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would be right to adopt the principle underlying that order in the decision of such cases also. Actuated on this view, it will be noticed that of the honours asked for by the Saraswat Brahmin Community some, e.g. Makara Thoranas and Hagal Deevatige come under "Royal Honours" while others e.g. Sweta Chatris & Chamara fall under Special Honours. The use of these four honours by the petitioners on the occasion in question cannot be permitted unless their right thereto is established

4. The Saraswat Community ask for permission to use a Palki for the procession. I see

DISTRICT MAGISTRATE'S OFFICE

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MYSORE

No objection to their doing so, as it is quite usual to do so and Palki is neither a Royal Honour nor a Special Honour. The use of the other insignia, viz: ಕೊಡೆ, ಕತ್ತಿ, ಸಿಬ್ಬಂದಿ and ಚಾಮರ may also be permitted on the same consideration.

The Amildar will accordingly grant a license to the Saraswat Community permitting them to take the dicty in the streets in question but the use of the four honours viz: Makara-Thoranu, Hagal Deevatige, Sooriya-Chathri and Chamara will not be permitted. P. A. Palki may be used for carrying the dicty by

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TWO ANNAS
GOVT OF MYSORE
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but it should be made clear that Adda Palki is not permitted. The use of the remaining honours which are neither Royal Honours nor Special Honours may be allowed.

6. The Amildar should fix different hours of the day for the processions of the two Communities, viz: 7 A.M. to 12 noon for one Community and 3 P.M. to 7 P.M. for the other Community.

(Sd) S. Hiriannaiya

18th March 1922 District Magistrate

DIST. MAGISTRATE'S COURT SHIMOGA

True Copy

By order

Asst. to D.M.

Prof. Head Munshi

D. Magistrate Court

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18.3.20	18.3.20		K. Nadarajan

Fair. Draft

Proceedings of the Government of His Highness
the Maharaja of Mysore.

Read --

Petition registered No.2076 dated 5th April 1921 from Jahali Ranga Rao and certain other Gowda Saraswath Brahmans of Tirthahalli appealing against the Shimoga District Magistrate's order in the matter of ~~procuring~~ parading some Biradu during the procession of the deity of Sri Kodanda Rama Devaru along the public roads of Tirthahalli town.

Print
Secretary's orders
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26/11/22

2. Correspondence ending with letter No.296 dated 24th October'22 from the Muzrai Commissioner on the subject.

Order -- No. 1808 Executive Records
Mur 512-20-6

Dated Bangalore, the 29th November 1922.

In the matter of the dispute between the petitioners who are ~~Gowda Saraswath~~ Brahmans of the former Saraswath persuasion, and the other Brahmans of Tirthahalli, about the grant of a license to the former for conducting processions with music and Biradu, of Sri Kodanda Rama Devaru from the temple through certain streets of Tirthahalli, the District Magistrate of Shimoga before whom the matter went up in appeal, upheld the Amildar's decision to allow the Gowda Saraswath Brahman community to take the deity in procession through the public streets of Tirthahalli town. As regards the use of insignia, the District Magistrate has ordered that the use of Sveta Chatry, Chamara, Makara Toruna, ~~and~~ Hagal Divatige, could not be permitted till their right thereto is established and that a Palaki might be used

Clerk
25/11

for carrying the deity, but not Adda Palaki.

2. Against the foregoing order, Jamali Ranga Rao and others have appealed to Government and pray for permission to take the deity in procession with the insignias specified above.

3. ~~The Agama Parikshakar attached to the Muzrai Commissioner's office, who was consulted in the matter,~~ a consultation of the texts bearing on the subject has quoted authorities from Padma Samhita, Iswara Samhita and Bhagavata ~~to show~~ as case is evident. that Sveta Chattri, Hagal Divatige, Makara Torana and Chamara may be paraded on the occasion of the procession of temple deities.

4. Agreeing in the above Government are pleased to direct that Sveta Chattri, Chamara, Hagal Divatige and Makara Torana, the parading of which has been prohibited by the District Magistrate, be permitted to be used by the appellants during the procession of the deity ~~of~~ (~~for~~ Sri Rama Devaru) referred to above.

22/11/21

Secretary to Government,
Revenue Department.

24.11.21

To

The Muzrai Commissioner in Mysore,

with Ver. papers.

Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE DEPARTMENTS

G. O. No. 1808/Muz. 512-20-6 Dated Bangalore, the 29th November 1922.

Procession of Sri Kodanda Rama Devaru at Thirthahalli.

Passing Orders in the matter of parading some insignia on the occasion of the----

Read:—

Petition registered No. 2076 dated 5th April 1921 from Javali Ranga Rao and certain other Gowda Saraswath Brahmans of Tirthahalli appealing against the Shimoga District Magistrate's Order in the matter of parading some Biradu during the procession of the deity of Sri Kodanda Rama Devaru along the public roads of Tirthahalli Town.

2. Correspondence ending with letter No. 296 dated 24th October 1922 from the Muzrai Commissioner on the subject.

ORDER No. 1808/MUZ. 512-20-6 DATED BANGALORE, THE 29th NOVEMBER 1922.

In the matter of the dispute between the petitioners who are Brahmans of the Gowda Saraswath persuasion and the other Brahmans of Tirthahalli, about the grant of a license to the former for conducting processions with music and Biradu of Sri Kodanda Rama Devaru from the temple through certain streets of Tirthahalli, the District Magistrate of Shimoga before whom the matter went up in appeal, upheld the Amildar's decision to allow the Gowda Saraswath Brahman community to take the deity in procession through the public streets of Tirthahalli Town. As regards the use of insignia, the District Magistrate has ordered that the use of Sveta Chattri, Chamara, Makara Torana, and Hagal Divatige, could not be permitted till their right thereto was established and he has also directed that a Palaki might be used for carrying the deity, but not Adda Palaki.

2. Against the foregoing order, Javali Ranga Rao and others have appealed to Government and pray for permission to take the deity in procession with the insignias specified above.

3. A consultation of the texts and authorities bearing on the subject such as Padma Samhita, Iswara Samhita and Bhagavata has made it evident that Sveta Chattri, Hagal Divatige, Makara Torana and Chamara may be paraded on the occasion of the procession of temple deities.

4. Agreeing in the above, Government are pleased to direct that Sveta Chattri, Chamara, Hagal Divitige and Makara Torana, the parading of which has been prohibited by the District Magistrate, be permitted to be used by the appellants during the procession of the deity (Sri Kodanda Rama Devaru) referred to above.

T. E. JAYARAMA AIYAR,
Secretary to Government,
Revenue Department.

To—The Muzrai Commissioner in Mysore,
with Vernacular papers.

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